170

No. 10-128

Supreme Court, U.S.
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In The

Supreme Court of the United States

Daniel Ray Unger,

Petitioner

v.

Greg Taylor; John Smith; Bryan Chason; Zak Montoya; Carl Davis; Anderson County, Texas;

Respondents

On Petition For Writ Of Certiorari
To the United States Court Of Appeals
For The Fifth Circuit

PETIONER'S REPLY BRIEF

Daniel Ray Unger
General Delivery
Grapeland, Texas 75844
Phone: (903) 948-9708

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28 U.S.C. § 1331 1
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CONSTITUTIONAL, Statutes, and etc. Authorities

Articles of Confederation Article I:

> *The Stile of this Confederacy shall be "The United States of America."*

28 U.S.C. § 1332(e):

> *(e) The word "States" as used in this section includes the Territories, the District of Columbia, and the Commonwealth of Puerto Rico.*

28 U.S.C. § 1603:

> *For purposes of this Chapter-*
> *(a) A "foreign state", ... includes a political subdivision of a foreign state or an agency or instrumentality of a foreign state as defined in subsection (b).*
> *(b) An "agency or instrumentality of a foreign state" means any entity-*
> *(1) which is a separate legal person, corporate or otherwise, and*

(2) which is an organ of a foreign state or political subdivision thereof,... and (3) which is neither a citizen of a State of the United States as defined in section 1332(c) and (e) of this title, nor created under the laws of any third country.

RESPONDENTS MISSTATEMENT OF THE FACTS

1. Respondents' allegation that "*Petitioner has ...failed to provide any evidence of his affiliation with the 'Sovereign American People*" [Brief in Opposition page no 1].

Respondents are being disingenuous with this Court. Petitioner provided a verified affidavit[1] [made subject to the pains and

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[1] Petitioner unintentionally misstated his lineage in his original Petition for Writ of Certiorari. It was actually John Nichols (or Nicholas) [Born in 1759] who served as an ensign and border ranger in the American Colonial Army during the American Revolution, as reflected in Petitioner's affidavit. John Nichols also was my ancestor who took the Oathe of Allegiance to the Commonwealth of Pennsylvania in 1776. John W. Unger, who I attributed the above facts to in said Petition, was actually the son of John Nichols and his wife

penalties of perjury] of his lineage which is reflected in the Record on Appeal ["ROA"]. See Plaintiff's Motion for Summary Judgment, Exhibit 6, ROA pps. 1072-1079. Contrary to Respondents' allegations, Petitioner did present evidence to the trial that he is the posterity [and therefore a member] of the Sovereign American People.

2. Respondents' allegation that "*Unger denies that he is a citizen of the United States of America...*'. [Brief in Opposition page no 3].
Respondents are being disingenuous with this Court. Petitioner has not denied that he is a "Citizen[2] of The United States of America", but rather Petitioner has pled that he is a Citizen of the Confederacy, which is known as "The United States of America", see Articles of Confederation Article I. Petitioner has denied being a federal 'citizen' of the United States, which

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Catherine Hullinger, and John W. Unger was born in 1790. These facts are referenced in the aforementioned affidavit.

[2] Petitioner believes that it would be more proper to capitalize 'Citizen' when used in this manner; although he has no intention in engaging in a semantic argument.

is a citizen of the District, or its Territories, or the Commonwealth of Puerto Rico, see also 28 U.S.C. § 1332(e).

3. Respondents' allegation that "*For the first time, Unger now contends that by birthright, as a member of the sovereign American People (whoever they may be)...infringes upon his Constitutional right to travel ...*" [Brief in Opposition page no 13].

Respondents' are being disingenuous with this Court. Respondents' Brief in Opposition actually shows that Petitioner alleged violations of '*his right to travel and right to liberty*' [emphasis added]; and then Respondents reference Petitioner's complaint in the ROA where Petitioner complained of this issue [See Brief in Opposition page no 4, 1st par.]. This issue was also extensively covered in Petitioner's Motion for Summary Judgment in the trial court [ROA ppgs. 1001-1002]. This issue should have been decided as a matter of law; however, the appellate court refused to address this issue presented in Petitioner's Motion for Summary Judgment because of the subsequent trial [See Petitioner's

Appendix to Petition for Writ of Certiorari, Vol. I, appendix B, page 9 of 28].

REPLY TO RESPONDENTS' REASONS FOR DENYING THE PETITION

I. Respondents first argue that Petitioner's assertion of Sovereign Immunity is misguided and not compelling [Brief in Opposition pages 7-12].

First: Petitioner has made an unchallenged claim to Sovereign Immunity. The Respondent tortfeasors totally disregarded Petitioner's claim at the local level, and, in fact, punished Petitioner as a direct result of said claim. Petitioner's claim again went unchallenged in the trial court, and again the Court disregarded Unger's claim and failed to address the issue of Sovereign Immunity. Finally, the appellate court failed to address Petitioner's claim to Sovereign Immunity, although recognizing that Petitioner had made the claim.

Second: Respondents imply that Petitioner has failed to demonstrate how his relation to the Commonwealth of Pennsylvania entitles Petitioner to

immunity. Again, Respondents are being disingenuous with this Court. In the trial court Petitioner refers to the following Supreme Court cases in support of his position [See Petitioner's Motion for Summary Judgment, Exhibit 6, ROA ppgs. 1076-1077]:

Scott v. Sanford 60 U.S. 699 at 701 [emphasis added]:

> *It is true every person and every class and description of persons, who were at the time of adoption of the Constitution recognized as citizens in the several States, became also citizens of this new political body;* ***but none other****; it was formed by them, and for them and* ***their posterity****,* ***but for no one else****. And the personal rights and privileges guarantied to citizens of this new sovereignty were intended to embrace* ***those only who were then members of the several state communities****, . . .*

Cohens v. Virginia 5 Led (1821), Wheat 6, 257 at 347 and at 381 [emphasis added]:

at 347

> *The people of the United States are the* ***sole sovereign authority*** *of this country.* ***By them, and for them****, the constitution was established.*

at 381

> *To this supreme government ample powers are confided; and if it were possible to doubt the great purposes for which they were so confided, the people of the United States have declared, that they are given 'in order to form a more perfect union, establish justice, and ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to* ***themselves and their posterity****.'*

Third: Respondents allege that Petitioner has failed to demonstrate why Petitioner should be considered within the purview of 28 U.S.C. §§ 1602 et seq. Respondents have now, for the first time, challenged Petitioner's claim to Sovereign Immunity. 28 U.S.C. § 1603 (b) [parts (1) thru (3)] lists three criteria one must meet for consideration as a foreign state.

Part (b) states, that a 'foreign state' means any 'entity'. **Black's Law Dictionary** 4th ed. Page 626 defines 'entity' as "*A real being; existence.*" Petitioner is an entity.

Part (1) then states that Petitioner must be '*a separate legal person, corporate or otherwise,*'. **Black's Law Dictionary** 4th ed. Page 1299 defines 'person' as "*A man considered according to the rank he holds in society, with all the right to which the place he holds entitles him, and the duties which it imposes. ...*" Petitioner is most certainly a separate legal person.

Part (2) states in pertinent part '*Which is an organ of a foreign state*". **Constitutional Limitations**, Cooley, 1868, p. 31 states in pertinent part [emphasis added]:

> *The people, in the legal sense, must be understood to be those who, by the existing constitution, ...will be the* ***sole organs*** *through which the will of the body politic can be expressed.*

Petitioner has shown himself to be one of the 'people'; and therefore, one organ.

The several States of the Confederation are considered 'foreign' to each other except as regards to their relations as a common member of the Union. **Black's Law Dictionary** 4th ed., page 1578 under the term "State" and sub heading "Foreign State" and **Phillips v. Payne, 92 U.S. 130** at 132. Petitioner has now shown that he is an '*organ of a foreign state*'.

Part (3) states that in order for Petitioner to be a foreign state, he cannot be created under the laws of any third country, nor be a citizen of a State of the United States as defined in section 28 U.S.C. §1332 (e). Petitioner inherited his citizenship [by birth right] [See **Scott v. Sanford 60 U.S. 699** at 701 above] when his ancestors created the Declaration of Independence, the original Constitution of the Commonwealth of Pennsylvania, and the Articles of Confederation; therefore, Petitioner's citizenship was not created under the laws of any third country. Petitioner is not a citizen of the Territories, the District of Columbia, or the Commonwealth of Puerto Rico as defined by 28 U.S.C. §1332 (e).

Petitioner has made a *prima facie* showing that he is a foreign state as defined in 28 U.S.C. § 1603 (b).

II. Respondents' allegation concerning Petitioner's right to travel [Brief in Opposition pages 13-15] is off point [concerning whether Petitioner is required to have a license and be insured in order to exercise his right to liberty]; and Petitioner's Petition for Writ of Certiorari adequately supports his position.

III: Respondents' argument in their Brief in Opposition, part III, ppgs 15 thru 20 does not directly address Petitioners' "*Argument for allowing writ*" [See Petition for Writ of Certiorari page 14]. Respondents are again being disingenuous with this Court. Respondents then launch a diatribe of argument which fails to accurately reflect specific facts and law at issue which would be controlling for the failure of the appellate court to review Petitioner's motion for summary judgment which should have been granted as a matter of law. Had the appellate court reviewed Petition's motion for summary judgment, the Court would have been compelled to grant Petitioner's

motion as a matter of law against all Respondents.

IV. Respondents' argument in their Brief in Opposition, part IV, ppgs 21 thru 22, again is disingenuous, alleging that Petitioner's declaration of bias and prejudice was based upon unfavorable rulings and not upon personal bias. In reference to the above misstatement, Petitioner presents his declaration of bias and prejudice in Appendix C. Contrary to Respondents' disingenuous allegations, Petitioner's affidavit alleges personal bias and prejudice because for the sole reason that Petitioner was appearing '*in propria persona*' or as a '*pro se*' litigant.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that petition for a writ of certiorari should be granted.

Dated: 9/04/2010

Respectfully submitted,

Daniel R. Unger

Daniel Ray Unger

APPENDIX TABLE OF CONTENT:

Appendix C :

Unsworn Declarations Under Penaltyof Perjury (see 28 U.S.C. 1746)Of Bias or Prejudice (28 U.S.C. §§ 144, 455(a)) 1-18

In The United States District Court
For the Eastern District of Texas
Tyler Division

Daniel Ray Unger)
Vs.) Civil Action No.
6:06cv466
Greg Taylor, et al.)

Unsworn Declarations Under Penalty of Perjury (see 28 U.S.C. 1746)
Of Bias or Prejudice (28 U.S.C. §§ 144, 455(a))

I, Daniel Unger, under penalty of perjury under the laws of the United States of America, declare and state:

1. My name is Daniel Ray Unger. I am over 18 years of age. My current mailing address is Care of General Delivery, United States Post Office, Grapeland, Texas 75844. My domicile is the Commonwealth of Pennsylvania, (one of the Original Thirteen Colonies which became a State under the Articles of Confederation) by birth right.
2. I am the Plaintiff in this matter and the above entitled cause. I make

this unsworn declaration under penalty of perjury to disqualify the Honorable Michael Schneider from this case on the basis of his personal bias or prejudice against me.

3. I am bringing this cause on my own behalf, *in propria persona*, or in the more commonly applied legal term, *pro se*; although, the Magistrate Judge recently assigned an attorney for mediation and *voir dire* purposes only, and the presiding Judge expanded the attorney authority to serve as "stand by" counsel at my discretion.

4. I have not consented to have this action tried by a United States magistrate.

First Circumstance of Bias or Prejudice:

5. On the morning of May 12, 2008, I attempted to file Plaintiff's Response to Defendants' Objections to Plaintiff's Stenographic Deposition Designation (Docket entry no. 178). My motion [excluding the certificate of service] was only 11 pages, and in compliance with Local Civil Rules ("LCV") LCV-7(a)(2) 15 page limitation [excluding attachments]. However, the Court Clerk [named Mike] refused to allow me

to file my motion because my motion with attachments exceeded the purported 20 page limitation imposed by LCV-3(b). The Defendants motion (Docket entry no. 167), to which I was responding exceeded the 20 page limitation imposed by LCV-3(b), and was filed by Defendants without leave of the Court to exceed the 20 page limitation.

6. After reading this local rule I complained to the Clerk because the rule was apparently only meant to be applied to the "Commencement of Action". The Court Clerk informed me that the presiding Judge had instructed the Clerks to apply LCV-3(b) page limitation to all pro se pleadings. I complained that the rule was a violation of my right to due process and equal protection of the law; and, the Clerk stated that he would specifically check with presiding Judge [which is the Honorable Michael Schneider], who was not available at the time; and, that I could check back later for the Judge's decision.

7. After checking back with the Clerk on the afternoon of May 12, 2008, I was informed that [as per the presiding Judge's instruction] I could

not file my pleading without filing a motion for leave of the court to exceed the 20 page limitation, which I subsequently filed (Docket entry no. 177).

8. The purported local rule is unconstitutionally vague, arbitrary and capricious; and a violation of my right to due process of law and my right to equal protection of the law. The Honorable Judge Michael Schneider applied this local rule against me in a discriminatory manner, merely because I am not an attorney. The rule allows the Court to grant or not to grant leave in an arbitrary, vague and capricious manner; and, the rule sorely limits my remedy, contrary to the lack of limitations imposed on attorneys.

9. The Honorable Judge Michael Schneider has engaged in conduct prejudicial to the effective and expeditious administration of my business with this court in a manner intended to discriminate against me.

Second Circumstance of Bias or Prejudice:

10. Federal Rules of Civil Procedure Rule ("FRCP") 45(a)(3), in relevant part states:

"The clerk **shall** issue a subpoena, signed but otherwise in blank, to a **party** requesting it, who shall complete it before service. An attorney as officer of the court may also issue and sign a subpoena on behalf of ..." (emphasis added)

11. This Court's Local Rule LCV-45 provides that "*Attorneys shall prepare all subpoenas.*" Based upon LCV-45, this Court's Clerks have denied me my due process right to have the clerk issue signed, but otherwise blank, subpoenas for witnesses to appear on my behalf.

12. On May 13, 2008, the Magistrate ordered that I could have subpoenas issued for my trial witnesses (Docket entry no. 182), thereby allowing the Court Clerks to issue subpoenas on my behalf as provided by FRCP Rule 45 (a)(3)

13. On May 15, 2008, Defendants filed a Motion for reconsideration (Docket entry no. 185), which the Honorable Judge Michael Schneider granted in part and denied in part (Docket entry

no. 192) limiting the witnesses I could subpoena to my wife (Tracie) and former Anderson County jailor, Terry Hamilton. The Honorable Judge Michael Schneider states that he "*finds that Plaintiff has not shown good cause for the issuance of subpoenas to individuals not identified to Defendants within the discovery period or the deadline set by the Magistrate Court's November 27, 2007, Order (Doc. No. 111).*" (Docket entry no. 192, 2nd paragraph., 1st sentence). The Honorable Judge Michael Schneider made no finding that the Magistrate's order is clearly erroneous or contrary to the law before he modified it.

14. The Honorable Judge Michael Schneider violated my right to due process of law when he modified the Magistrate's pretrial order which was not first determined to be not clearly erroneous as required by 28 U.S.C. § 636 (b) (1) (A) and FRCP Rule 72(a) (regarding non-dispositive matters), which provides that the District Judge can only modify or set aside those portions of the magistrate's order which it finds to be "*clearly erroneous or contrary to law.*"

15. The Honorable Judge Michael Schneider violated my right to due process and equal protection of the law when he imposed LCV-45 contrary to the dictates of FRCP Rule 45 (a)(3), which provides that the Clerks shall issue subpoenas signed, but otherwise blank, to a party requesting it; thereby discriminating against me because I am a pro se litigant.

16. The Honorable Judge Michael Schneider engaged in conduct prejudicial to the effective and expeditious administration of my business with this court when he modified the aforesaid Magistrate's order and denied me the right to have the Court Clerks issue subpoenas for trial witnesses on my behalf.

Third Circumstance of Bias or Prejudice:

17. At the status conference held on April 8, 2008, Defendants' attorney Victor Haley asked the Magistrate Judge if the trial was set for June 2, 2008. The Magistrate stated that Judge Schneider has set June 2 as the pretrial conference; and that, at the conference, Judge Schneider would announce when

jury selection and the date of the trial would be.

18. I specifically asked the Magistrate how long after the pretrial conference that the trial would be held, and the Magistrate stated that I would need to call Judge Schneider and ask him.

19. After the status hearing, I called Judge Schneider and was told by his Clerk that, for pro se litigants' cases, the Judge would have a Docket call; but, that I would need to talk to the Magistrate's law clerk concerning that issue.

20. After speaking with one of Judge Schneider's clerks, I called the Magistrate's law clerk whose name is "Bryan". After explaining the situation to Bryan, he told me that he would find out the trial date from Judge Schneider, and he would either call me, or I could call him.

21. Either later that day (April 8, 2008), or the next day, Bryan told me that Judge Schneider held an "oldtime" docket call, and would set the trial date on June 2, 2008. Bryan also said that the most likely dates for the trial would either be to begin on June 2, 2008, or June 9, 2008. I complained to Bryan

because I would not know when to have my witnesses appear for trial.

22. On April 11, 2008, the Magistrate appointed David Iglesias as counsel for mediation and voir dire only (Docket entry no. 153); and, on April 23, 2008, Judge Schneider expanded Iglesias' authority by appointing him as "stand by" counsel (Docket entry no. 164).

23. I spoke with David Iglesias concerning the trial dates; and, after he checked with the Court, he told me that in my case the judge would do a traditional docket call and set the trial dates on June 2, 2008 at the pretrial conference. The trial dates and voir dire dates were set at the pretrial conference held on June 2, 2008.

24. LCV-83(a) states "*Docket Calls. Traditional docket calls are abolished. Each judge shall endeavor to set early and firm trial dates which will eliminate the need for multiple-case docket calls.*"

25. The Honorable Judge Michael Schneider violated my right to due process and equal protection of the law when he failed to set early and firm trial dates as required by LCV-83(a), thereby discriminating against me because I am a pro se litigant. The Honorable Judge Michael Schneider has engaged in

conduct prejudicial to the effective and expeditious administration of my business with this court when he failed to set an early and firm trial date as required by LCV-83(a).

Fourth Circumstance of Bias or Prejudice:

26. I filed objections to Defendants pretrial disclosures claiming that Defendants certification on their certification of pretrial disclosures was falsely made (Docket entry no. 174, page 7, item no. "VI") because Defendants had failed to provide the required disclosures.

27. At the status conference held on June 2, 2008, Wade Flasowski, one of the attorneys for the Defendants, lied to the Court stating that the first time that I had made any mention of disclosure of potential witnesses [Gary Livingston and Richard Welch] to appear on my behalf was on my notice of trial witnesses which I filed on December 14, 2007 (Docket entry no. 115).

28. In rebuttal to Defendants' allegation above, I brought to the Court's attention that I had requested

the disclosure of Gary Livingston and Richard Welch on April 5, 2007, in my request for additional disclosure (Docket entry 27, page 1, item no. 2); and, that Defendants had specifically objected to providing his contact information on May 4, 2007, (Docket entry no. 38). However, instead of admonishing Defendants for lying to to the Court, the Honorable Judge Michael Schneider grilled me on whether or not a hearing had been held to determine if Gary Livingston the issue [presumably if the Livingston disclosure], and Judge Schneider showed no concern that Defendants had intentionally lied to the Court about the alleged disclosure.

29. This conduct by the Honorable Judge Michael Schneider has shown a personal bias or prejudice against me in presenting my objections to the Court.

Fifth Circumstance of Bias or Prejudice:

30. On April 22, 2008, the Magistrate issued an order (Docket entry no. 156) denying my motion for leave to amend my complaint, and motion to extend the docket control deadline for filing amended pleadings (Docket entry nos.

146 and 147). The filing deadline for objections to this order was May 9, 2008, pursuant to FRCP Rule 72 and Rule 6.

31. On May 6th, 2008, Chief Judge Thad Heartfield issued general order 08-06, extending all filing deadlines in this court occurring between Friday, May 2, 2008 and Sunday, May 11, 2008, to May 12, 2008, because the court suffered a technical failure on May 2, 2008. On May 7th, 2008, I had contacted the Court Clerk concerning filing my objections, and was instructed by the Clerk that my objections due on May 9, 2008, could not be filed at that time. and were extended until May 12, 2008, pursuant to the above general order 08-06.

32. On May 12, 2008, I timely filed my objections (docket entry no. 176 and 179) to the Magistrate's order (Docket entry no. 156) pursuant to FRCP Rule 72(a). My objections alleged that the Magistrate's report was "*clearly erroneous and contrary to the law*" (Docket entry no. 176, page 2, item no. 3).

33. On May 27, 2008, the Honorable Judge Michael Schneider issued an order disposing of my objections by erroneously

construing my objections to an appeal of the Magistrate Judge's order. This position is without support in the law or the rules as I have never given my consent for the Magistrate to try my case, or consented to appeal to the District Court, any Magistrate's judgment as provided by Rule 4 of appendix B of the local rules.

34. The Honorable Judge Michael Schneider is so biased and prejudiced against me that he failed to construe my FRCP rule 72 objections as a motion for reconsideration as provided for by 28 U.S.C. § 636 (b)(1)(A) and Rule 4 (A) of appendix B of the local rules; as pro se litigants pleadings are to be liberally construed in favor of relief.

35. The Honorable Judge Michael Schneider showed his bias and prejudice when he failed to consider, and set aside, the portion of the Magistrate's order that I showed to be clearly erroneous and contrary to the law.

36. The Honorable Judge Michael Schneider violated my right to due process and equal protection of the law when he failed to consider and set aside the portion of the Magistrate's order that I showed to be clearly erroneous and contrary to the law in my objections.

The Honorable Judge Michael Schneider has engaged in conduct prejudicial to the effective and expeditious administration of my business with this court when he failed to properly rule on my objections.

Sixth Circumstance of Bias or Prejudice:

37. On May 19, 2008, the Honorable Judge Michael Schneider issued an order (Docket entry no. 192) in which he ordered the Clerk's office not to issue a subpoena on Richard Welch, who was the jailor who provided me with bedding, and allowed me to use the phone [for the first time] to make bond, late on the evening of October 29, 2005 (See Complaint, Docket entry no.1, page 10, item no. 59).

38. I had listed Jailor Richard Welch as a person with knowledge on my Complaint (See Complaint, Docket entry no.1, page 10, item no. 59), and as a witness on my trial witness list (Docket entry no. 115, page no. 2, item no. 17).

39. Defendants failed to disclose Deputy Richard Welch's name, address, and telephone number to Unger during discovery, even though I requested this

information in my request for additional disclosures (Docket entry no. 27, page no. 1, item no. 1).

40. The Honorable Judge Michael Schneider showed that he is biased and prejudiced against me when he allowed Defendants to call as their witness Richard Welch, who had not been previously disclosed during discovery; but, at the same time, denied me the right to have a subpoena issued to call Richard Welch as my witness, after I had requested disclosure of his personal information from Defendants that they failed to provide.

Seventh Circumstance of Bias or Prejudice:

41. On June 2, 2008, the Honorable Judge Michael Schneider issued a verbal order which prohibited me from filing any further motions in this cause of action (See minutes of pretrial conference, Docket entry no. 214, at 5:51 pm).

42. I requested that I be allowed to file objections and/or motion for reconsideration of order for which the time period had not expired to respond to said order, but my request was denied.

43. The essence of the Honorable Judge Michael Schneider's order denying me the right to file any further motions in this cause prevents me from filing motions for the Court to take judicial notice, motions for directed verdict, motions for new trial, and motions for judgment on the pleadings; all of which are motions allowed under the rules.

44. The Honorable Judge Michael Schneider has violated my right to due process of the law and right to access the Court for remedy by denying me the right to file motions with the Court. The Honorable Judge Michael Schneider has engaged in conduct prejudicial to the effective and expeditious administration of my business with this Court and shows a bias and prejudice against me.

Unsworn Declarations Under Penalty of Perjury (see 28 U.S.C. 1746)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

_____

_____

Daniel Ray Unger, Dated
c/o General Delivery

U.S. Post Office
Grapeland, Texas 75844
(903) 948-9708

Certificate of Counsel

As required by the provision of Title 28 Section 144 of the United States Code, I, Daniel Unger, appearing on my own behalf as myself as counsel of record, certify that this Unsworn Declarations Under Penalty of Perjury (see 28 U.S.C. 1746) of prejudice is submitted in good faith and not for purposes of delay.

Dated: _____

Respectfully Submitted,
Daniel Ray Unger, (in propria persona

Certificate of Service

I, Daniel Ray Unger, do hereby certify that a true and correct copy of the above and foregoing document has been served by placing the same in the United States Mail with adequate first class postage addressed as shown below on this the **10th** day of **June**, 2008.

_____
Daniel Ray Unger

C Victor Haley
Fairchild Price Thomas & Haley
PO Drawer 631668

1801 North St.
Nacogdoches, TX 75963-1668